

C) REMARKS

This Response is filed in response to the Office Action dated December 13, 2006.

Upon entry of this Amendment, claims 2-4, 7-12, 14-18, 27 and 51 will be pending in the Application. Claims 1, 5-6, 13, 19-26 and 28-50 are canceled.

In the outstanding Office Action, the Examiner rejected claims 1, 2, 4, 5, 9-11, 15, 17, 18 and 51 under 35 U.S.C. 102(e) as being anticipated by Hill et al. (U.S. Patent No. 6,629,525) hereinafter "Hill"; rejected claims 3 and 27 under 35 U.S.C. § 103(a) as being unpatentable over Hill in view of Tripp Jr. et al. (U.S. H1039) hereinafter "Tripp"; rejected claim 12 under 35 U.S.C. § 103(a) as being unpatentable over Hill in view of Zysko (U.S. Patent No. 6,452,510) hereinafter "Zysko"; rejected claims 6, 14, 16 and 19 under 35 U.S.C. § 103(a) as being unpatentable over Hill in view of Schmidt et al. (U.S. Publication No. 2006/0213519) hereinafter "Schmidt"; provisionally rejected claims 1-12, 14-19, 27 and 51 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 20, 22, 23, 25, 26 and 51-60 of copending Application No. 10/419,672; and indicated claims 7 and 8 are allowable.

Rejection under 35 U.S.C. 102

The Examiner rejected claims 1, 2, 4, 5, 9-11, 15, 17, 18 and 51 under 35 U.S.C. 102(b) as being anticipated by Hill.

In response, claims 1 and 5 are canceled, and remaining claims 2, 4, 9-11, 15, 17, 18 and 51 have been either amended to or to now either directly or indirectly depend from claim 7, which the Examiner has indicated is allowable.

Therefore, it is respectfully submitted that claims 2, 4, 9-11, 15, 17, 18 are not anticipated nor rendered obvious by Hill and are therefore allowable.

Rejection under 35 U.S.C. 103

A. Claims 3 and 27 over Hill in view of Tripp

The Examiner rejected claims 3 and 27 under 35 U.S.C. § 103(a) as being unpatentable over Hill in view of Tripp.

In response, claim 3 now depends from claim 7, and claim 27 has been amended to include features contained in claim 7, which claim 7 the Examiner has indicated is allowable.

Therefore, it is respectfully submitted that claims 3 and 27 are not anticipated nor rendered obvious by Hill and/or Tripp and are therefore allowable.

B. Claim 12 over Hill in view of Zysko

The Examiner rejected claim 12 under 35 U.S.C. § 103(a) as being unpatentable over Hill in view of Zysko.

In response, claim 12 now depends from claim 7, which the Examiner has indicated is allowable.

Therefore, it is respectfully submitted that claim 12 is not anticipated nor rendered obvious by Hill and/or Zysko and is therefore allowable.

C. Claims 6, 14, 16 and 19 over Hill in view of Schmidt

The Examiner rejected claims 6, 14, 16 and 19 under 35 U.S.C. § 103(a) as being unpatentable over Hill in view of Schmidt.

In response, claims 6 and 19 are canceled, and remaining claims 14 and 16 now depend from claim 7, which the Examiner has indicated is allowable.

Therefore, it is respectfully submitted that claims 14 and 16 are not anticipated nor rendered obvious by Hill and/or Schmidt and are therefore allowable.

Nonstatutory Obviousness-type Double Patenting Rejection

The Examiner provisionally rejected claims 1-12, 14-19, 27 and 51 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 20, 22, 23, 25, 26 and 51-60 of copending Application No. 10/419,672.

In response thereto, claims 20-26 are canceled in the present application, which claims corresponding to the only pending claims in copending Application No. 10/419,672. Thus, there are no overlapping claims with copending Application No. 10/419,672. In addition, added claim 51 has at least the distinctions provided for in the above discussion, and further depends on the independent claim 7. Therefore, Applicant submits that pending claims 1-12, 14-19, 27 and 51 overcome the nonstatutory obviousness-type double patenting rejection, and therefore are allowable.

CONCLUSION

In view of the above, Applicant respectfully requests reconsideration of the Application and withdrawal of the outstanding objections and rejections. As a result of the amendments and remarks presented herein, Applicant respectfully submits that claims 2-4, 7-12, 14-18, 27 and 51 are not anticipated by nor rendered obvious by Hill, Tripp, Zysko and Schmidt or their combination and thus, are in condition for allowance. As the claims are not anticipated by nor rendered obvious in view of the applied art, Applicant requests allowance of claims 2-4, 7-12, 14-18, 27 and 51 in a timely manner. If the Examiner believes that prosecution of this Application could be expedited by a telephone conference, the Examiner is encouraged to contact the Applicant.

The Commissioner is hereby authorized to charge any additional fees and credit any overpayments to Deposit Account No. 50-1059.

Respectfully submitted,

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